

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARCUS STROUD,
Plaintiff

v.

WARDEN USP LEWISBURG,
***et al.*,**
Defendants

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No. 1:22-cv-0515

(Judge Rambo)

ORDER

AND NOW, on this 30th day of November 2022, for the reasons set forth in the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Plaintiff Marcus Stroud's motion for reconsideration (Doc. No. 12) is **GRANTED** in part.
2. This Court's Order dated May 25, 2022, is **VACATED**.
3. Stroud's complaint (Doc. No. 1) is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted, as follows:
 - a. Stroud's state-created danger, equal protection, and failure-to-supervise *Bivens* claims are **DISMISSED** with prejudice.
 - b. Stroud's civil conspiracy claim is **DISMISSED** without prejudice.
4. Stroud's motion to amend (Doc. No. 12) is **GRANTED** *only to the extent* that Stroud may file an amended complaint in conformity with the accompanying Memorandum by no later than December 21, 2022. If no amended complaint is timely filed, this case will be closed.

s/ Sylvia H. Rambo
United States District Judge